

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LARRY SMITH,

Plaintiff,

v.

RALPH DIEZ, et al.,

Defendants.

No. 2:20-CV-0071-JAM-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's second motion, ECF No. 24, for a further 60-day extension of time to file a first amended complaint. Good cause appearing therefor, Plaintiff's motion is granted in part.

On October 19, 2020, the Court directed Plaintiff to file a first amended complaint within 30 days of the date of the order. See ECF No. 19. On November 18, 2020, Plaintiff filed a timely motion for a 60-day extension of time. See ECF No. 21. The Court granted that motion in part on November 23, 2020, and directed that Plaintiff's first amended complaint be filed within 30 days of the date of the order. See ECF No. 22. Plaintiff's current motion seeking an additional 60 days was filed on March 1, 2021 – just over 90 days past expiration of the deadline set in the November 23, 2020, order. See ECF No. 24. As such, Plaintiff has already had much more time than granted by the Court to file a first amended complaint as initially directed in

1 October 2020. Nonetheless, in the interest of justice, the Court will grant Plaintiff one additional
2 extension of time.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Plaintiff's motion for an extension of time, ECCF No. 24, is granted in
5 part; and
6 2. Plaintiff shall file a first amended complaint within 45 days of the date of
7 this order.

8
9 Dated: March 11, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE